

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

WP(C).No. 24811 of 2006(D)

PETITIONER:

BEZALIOUS MATHEW COLLEGE OF ENGINEERING,
SASTHAMKOTTA, KOLLAM, REP. BY ITS
DIRECTOR, DR. F.E.ALBIN.

BY ADV. SMT.V.P.SEEMANDINI
SMT.S.KARTHIKA
SRI.M.S.UNNIKRISHNAN
SMT.T.B.REMANI
SRI.M.R.ANISON
SRI.T.R.RAJESH

RESPONDENTS:

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1. STATE OF KERALA, REP. BY ITS
SECRETARY TO GOVT., HIGHER EDUCATION (J)
DEPARTMENT, GOVT. SECRETARIAT, TRIVANDRUM.
 2. UNIVERSITY OF KERALA, REP. BY
ITS REGISTRAR, THIRUVANANTHAPURAM.
 3. THE ENTRANCE EXAMINATION COMMISSIONER,
OFFICE OF THE COMMISSIONER FOR ENTRANCE
EXAMINATIONS, VTH FLOOR, HOUSING BOARD BUILDINGS,
SANTHI NAGAR, THIRUVANANTHAPURAM-695 001.
 4. ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION, REP. BY ITS CHAIRMAN,
INDIRA GANDHI SPORTS COMPLEX, I.P.ESTATE,
NEW DELHI-110 002.

BY ADV. SRI.S.GOPAKUMARAN NAIR, SC KERALA UT. - R2
ADV. SRI.K.P.DANDAPANI - R4
ADV. SMT.K.MEERA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN COME UP FOR ADMISSION
ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 24811 of 2006

Dated, this the 9th day of February, 2007

J U D G M E N T

Petitioner is an existing engineering college, which got recognition from the AICTE to commence additional course in Electrical and Electronics Engineering. Students were admitted pursuant to interim orders of this Court for the academic year 2006 - 2007. However, the University has not granted affiliation to the petitioner even though petitioner applied for the same. Without affiliation, the University will not permit the students to writ the first semester examination, which may be commenced very shortly. In any case, since the college is allowed to commence the course, Government sanction may not be required vide decision of the Supreme Court of India in Jaya Gokul Educational Trust Vs. Commissioner & Secretary to Government reported in 2000 (5) SCC 231 and the balance required is only affiliation by the University. This writ petition is therefore disposed of by directing the 2nd respondent to complete the process of affiliation for the new course based on petitioner's

application at the earliest and in any case within six weeks from the date of production of a copy of this judgment. I make it clear, in between if the examinations for the first semester commences, the students should be permitted to write the examination on provisional basis subject to affiliation of the university.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)